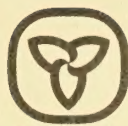


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## White Paper

# Government Statement on the Review of Local Government in the Municipality of Metropolitan Toronto

May 4, 1978



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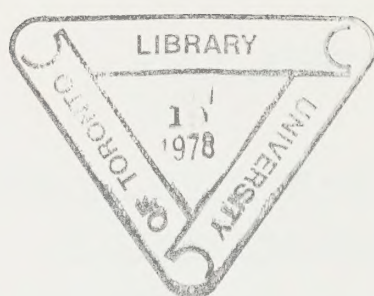
WHITE PAPER

GOVERNMENT STATEMENT ON THE REVIEW OF  
LOCAL GOVERNMENT IN  
THE MUNICIPALITY OF METROPOLITAN TORONTO

Ministry of Treasury, Economics  
and Intergovernmental Affairs

The Honourable W. Darcy McKeough  
Treasurer of Ontario

A. Rendall Dick  
Deputy Treasurer





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## INTRODUCTION TO METROPOLITAN TORONTO

### WHITE PAPER

I know that many of you have been anxiously awaiting the Government's response to the review of local government in Metropolitan Toronto. That review involved all of you here and consists not only of the Royal Commission report itself but the many briefs and opinions that were presented to the Commission and to the Government following its completion. The Government has now had an opportunity to examine and weigh the mass of information and opinion on how to improve upon our local government institutions in this key area of the Province.

Metro has long been regarded as one of the most successful systems of urban government in the world. It was designed to meet the demands and needs of the last two decades - the provision of facilities and services to accommodate growth. That need still exists but the system of local government - indeed all governments, have been faced more and more with issues of scarce public financial funds and effective resource and program management. This change in emphasis will obviously continue into the future.

Many issues and many recommendations were presented both in the report and the responses to it. It will be obvious to you that the Government has not tried to take a position on all of the issues - rather we have singled out some key areas for possible changes in the arrangements that seem to us to be timely for the Metro area.



Certainly the review process considered many issues and processes; the planning process, the system of representation, the role of the chairman, the relationships among the area municipalities and Metro, the roles of council and staff, the prospects of future development, the role of special purpose bodies, the system of financing, relations between Metro and the Province and the role of the resident in the political process.

It is a matter of more than passing curiosity for many people that we in Ontario seem to be constantly reviewing and adjusting our local governments. They point to the fact, for example, that in Metro we have a form and substance of municipal government that is the envy of many local governments around the world. Some go so far as to ask where have been the riots, the civil disobedience to provide the political impetus to such substantial reforms. It is in a way a paradox that governments least in need of reform have an ongoing capacity for it. Perhaps this is our secret to success - the ability to review and assess from time to time the way in which we govern ourselves and to bring gradual improvements to the system. We are a long way in Ontario from completely rationalizing local government as a responsible, responsive political institution. The important thing is that we continue to address ourselves to the task.

How important the task of clear definition of political institutions is in terms of how well society runs can be seen when we consider the difficulties we face in our federal-provincial affairs today. We have arrived at a situation by ad hoc decisions and informal practices that leaves us very confused and perplexed and at serious odds about who is responsible for what



in this country. We have an opportunity to avoid this institutional jungle in local government and given the Provincial Government's constitutional responsibility for the definition of local government, we see this as an ongoing challenge to work with local leaders and residents to keep our local government in Ontario strong and effective.

A recurring theme in all of the studies of local government in Ontario was that there should be increased emphasis upon accountability. There appears to be a rising concern for a clearer understanding of the system in which decisions are made that touch all of our lives. We as a Provincial government wish to continue to strengthen and improve the base from which politicians in local government, the elected representatives, may do an effective job in dealing with the broad range of community issues, may relate in a positive way to the appointed officials who are there to advise them and in turn to implement the decisions made by the politicians. It is equally important that those on whose behalf the politicians serve can see clearly who has made the decisions affecting the community and how they ally themselves in exercising their power. It is important to this Government that in a free society those who govern are elected to office and are accountable for their actions - that we are not governed in our local communities through remote and confused realms of responsibility that would frustrate effective assessment of responsibility and action taken.

We must continue to strive to form political institutions that have the capacity to make choices, set priorities and be accountable for the way in which competing claims are decided and issues resolved.

The Government of Ontario wishes to continue to achieve a better balance in the decision-making process between the provincial and the municipal level. Queen's Park cannot and must not decide everything. Our confidence in entrusting more of public policy-making to stronger local governments will be enhanced by a clearer political/administrative base with which to lodge expanded responsibility.

Indeed, as I have outlined, the Royal Commission report recommended that the Government move on many fronts to improve local government in Metro. The planning process and financial arrangements will have to await the results of broader Provincial Government consideration. There are many recommendations in Mr. Robarts' report which depend on Metro's initiative rather than that of the Province. We have accepted the proposition, however, that it would be appropriate now to focus on the definition of the political process, the methods of election, executive arrangements and the role of special purpose bodies. It seems to us that clearer accountability of the politicians themselves and the relationship between politicians/council and staff are important issues and should, in the sequence of dealing with other matters, be proceeded with first. I for one wish to see more attention paid in the electoral/political process to the Metro level. The Metro budget is around 3/4 of a billion dollars annually, for example, while the City of Toronto budget is in the range of \$200 million. The proposals we make here are intended to bring better focus to the Metro political forum.

Let me say a word about the process from this point in time, In my view, it is possible to introduce legislation in the Spring session and to complete the arrangements that would be necessary for this fall's civic elections. We would



be prepared to take the special steps necessary with you to identify new wards for example, and to meet other election process requirements. This has been done successfully in the past and on an even shorter time table in setting up new regional and area municipalities in other parts of the Province.

Until local councils determine the number of aldermen we will be unable to determine if council size will increase or decrease. What will clearly change for the better is a delineation between the Metro and area municipal levels. A by-product of this is that there would be an increase in the number of people who offer themselves for local service without the prospect of finding themselves on Metro council as an accident of the present electoral system. Speaking as Treasurer, I see it as an advantage to have part time people around, you don't have to pay them as much. More seriously, I think it would be a real tragedy if we continue to develop full time politicians exclusively. We need part time representatives as well. I think what is proposed here will encourage that.

The fact that we have been very selective and narrowed our sights on what we would like to see done this year should help in terms of your responding reasonably quickly to the proposals. The Government will assess your response by the end of May and at that time the decision will be made as to whether we have sufficient support for our proposals to introduce legislation to implement them.

May 4, 1978

Hon. W. Darcy McKeough,  
Treasurer of Ontario.





## PART I - METROPOLITAN TORONTO

### THE STRUCTURE

#### Two-Tier

The Robarts Commission recommended the continuation of the two-tier system of government for Metropolitan Toronto. The Government concurs with that recommendation. While we consider alternative arrangements such as further amalgamation or a greater decentralization of functions are inappropriate, we believe that some major changes to the Metropolitan system are in order. As revealed in our subsequent proposals, there would be increased emphasis upon the Metropolitan level. As Mr. Robarts suggested, and we agree, there is a weakness in the Metropolitan system in the limited capacity of the Metropolitan Council to develop and to decide important urban policies and to deliver major services in a more accountable and efficient manner.

As indicated in November, 1977, the Government does not intend to make any boundary adjustments as proposed by the Royal Commission. We did suggest that we were open to minor alterations, mutually agreed upon, by the municipalities involved. No such initiatives have been forthcoming.

Some of the boroughs wish to be known as cities. The matter of municipal status and levels of grants has been out of joint for some time. There are a number of anomalies in the matter of municipal status. One example is the level of grants available. These have been pointed out

from time to time and are commented upon by the Grants Reform Committee Report. It is our intention to rationalize these inconsistencies.

In directing attention to the Metropolitan level, we share the observation by the Bureau of Municipal Research that the Robarts review demonstrated that "Metro Toronto does function as an integrated urban area" despite the existence of a great number of neighborhoods and the area municipalities. In our view the local elected members of council have important contributions to make as representatives or sounding boards for their constituents in very local functions, such as local roads, local planning issues and recreation among others. Local representatives can respond to the very local concerns of their immediate neighborhoods. However, as Metropolitan Toronto is essentially an urban unit, the issues to be resolved here are primarily of Metro-wide concern.

THE GOVERNMENT IS PROPOSING THE RETENTION  
OF A TWO-TIER SYSTEM IN METROPOLITAN TORONTO.  
THOSE BOROUGHES WISHING TO BE CALLED A CITY  
MAY DO SO.



THE ELECTORAL SYSTEM

The Metropolitan Toronto federation has been characterized by its system of indirect election to the Metro Council. In the initial years this indirect method of selecting the Metropolitan representatives was appropriate and was a contributing factor in the success of the Metro experiment. However, twenty-five years later Metro has undergone substantial change and reorientation and the indirect method of election is no longer appropriate.

The Royal Commission held that the primary flaw in the electoral system is that Metro councillors are not directly accountable to the electorate or their municipalities for their policy and decision-making at Metro. The Commission also argued that the present electoral system is needlessly confusing. The complexity of the various methods of selecting Metro representatives contributes to the lack of understanding and interest in local government in this very important part of the Province. The Commission concluded that the electoral system is a significant inhibitor to the overall effectiveness of Metro's government.

Metro has significant responsibilities and they are increasing. It is imperative that the electoral system be adapted to reflect Metro's wide-ranging functional responsibilities and to ensure that Metro council is capable of fulfilling its role now and in the years to come.

The Government is in fundamental agreement with the Royal Commission's evaluation of the impact of the electoral system on the overall effectiveness and future potential of the federation.

## METRO COUNCIL

### Direct Election

The Commission argued that a major flaw of the indirect system of election, particularly in its various forms in Metropolitan Toronto, is that Metro councillors are not directly accountable either to the electorate or to the councils of their local municipalities. In some instances, even assuming electors understand the system of representation, they cannot know at election time for whom they are voting. For example, in the City of Toronto the highest polling alderman from each of the City's eleven wards becomes a Metro councillor. While this person reflects the collective decision of the electorate, the individual elector does not choose a Metro Councillor. Moreover, candidates in the City of Toronto do not have the choice of running for Metro Council, even indirectly, and cannot know until the election results are in whether they will be a Metro councillor. It is possible also that a candidate who polled the highest number of votes is not inclined or does not have the time to devote to being also a Metro councillor. In the Boroughs of East York, North York and Scarborough, some of the Metro representatives are selected by the local council from among its members and electors have no say at all in the decision.

Furthermore, because Metro representatives are elected to a local office, their primary focus at election time is their local constituency. As a result Metropolitan issues are neglected. Candidates do not feel obliged to address Metropolitan issues in the campaigns thus depriving citizens of an important source of education about their local government. The lack of attention to Metropolitan issues makes Metro Council remote.

In the Government's view these factors have hindered the development of a common understanding and an appreciation of the Metropolitan level of government. We do not feel this understanding can be expected to evolve without some changes in approach

The second major consideration of the Commission was the clarity of the system of representation. The indirect method of electing (and in some instances selecting) Metro councillors is complicated and needlessly confusing, more so because of the variation in the methods of determining these representatives for each municipality. It is hard to imagine that the average citizen in Metro fully understands how his or her municipal government is constituted, let alone that the elusive Metro Council exists and what it does. As the Commission suggested, the complexity of the system and the resultant lack of understanding and interest are likely contributing factors to the disappointingly low turnout at municipal elections.

A critical feature of any system of representation is its effectiveness. In the Commission's views, which the Government supports, the present system of indirect election has serious drawbacks which undermine its effectiveness. The present system requires a single person to be a local councillor, a member of the local council's executive body and a Metro representative. In some instances the same person is also a member of the Metropolitan executive committee. In the inevitable weighing of interests and priorities, in terms of workload and in decision-making, Metro responsibilities have suffered. The Commission's examination of this problem in the background study entitled Political Life in Metropolitan Toronto: A Survey of Municipal Councillors determined that Metro responsibilities



take up only about one-third of the time of the municipal politicians who serve on Metro Council. Somewhat more time is spent by mayors and those Metro representatives who serve on the Executive Committee. The Commission also found in interviewing Metro representatives that the job entails, on the average, 53 hours for aldermen, 59 hours for controllers and executive aldermen and almost 73 hours weekly for those who also serve on Metro's Executive Committee.

On the basis of the arguments outlined above, we have concluded that the system of indirect election in Metro Toronto has outlived its usefulness. To continue with it will only exacerbate weaknesses in the federation whereas a system of direct election can enhance and strengthen the Metropolitan system.

As part of its own recommendation for direct election to Metro Council the Robarts Commission also recommended that directly elected Metro councillors should be members of their local councils, but should be excluded from membership on the local executive and other committees. The Commission felt that in order to ensure that the area municipalities have an effective voice at Metro Council and that co-ordination between the two levels is facilitated, Metro councillors should automatically be members of the local council of the municipality in which they are elected. The Commission believed that dual membership would ensure an awareness of the people, problems and priorities involved in the local municipalities and, in turn, would provide a Metro voice at the local council. However, the Commission proposed that Metro councillors should be excluded from the executive and other committees of their local council in recognition of the impossible demands the present system of representation has placed on local politicians. It was expected this exclusion would also ensure that the Metro councillors would maintain a Metro perspective and give Metropolitan matters top priority.

We do not accept for now a proposal that would separate representation on Metro and area municipal councils. We are concerned about the proposal which would require Metro councillors to sit on their local council but would exclude them from the council's operating committees. Such an arrangement could invite friction and relegate Metro representatives to a lesser status on their local councils. This kind of a system could simply reverse the often complained about uneasy relationship which can exist between controllers and aldermen.

The Commission has argued that representation by Metro councillors on the local councils of their municipalities is important to ensure co-ordination. It could be argued that mixing local council composition with directly elected representatives of another council could weaken the local councils and diffuse accountability for decisions made there. The Government feels it could be further argued that the Boroughs and the City of Toronto should have complete control over their own affairs and should be clearly seen to be responsible for local affairs.

The Commission argued that Metro councillors should be members of the local council of their municipality because it is desirable that Metro Council reflect local interests and be sensitive to the special needs of the area municipalities. However, Metropolitan councillors elected from a constituency within an area municipality and local aldermen are both elected to serve the people of the municipality. The interests or perspectives of local municipalities do have a right to be considered in Metropolitan decisions, since these necessarily have an impact on all areas. We suggest that directly elected Metro councillors selected from the area municipalities would represent the interests of their electorate. The mayors of each

municipality who are proposed to continue to be full members of Metro Council would provide the added assurance of co-ordination as well as the representation of the views of the local councils.

The Government has concluded that local government in Metropolitan Toronto has evolved to the point that it now needs an electoral system which provides that Metro Council and the local councils elect their own representatives so that citizens may readily identify responsible politicians. Ideally, the representatives elected to Metro Council should serve only on that Council. This approach seems radical in light of Metro's tradition, of course, but the precedent for this kind of "single" direct election to each level of municipal government exists already in the Niagara Region where it was implemented eight years ago. Moreover, the electoral system in Niagara proved not to be an issue in the review of the Niagara Region which was undertaken at the same time as the Royal Commission's review for Metro.

Nevertheless, the Government appreciates that such a fundamental change in the electoral system for Metro Toronto may be premature and we should take one step at a time. The Government is prepared, therefore, to propose a less significant but effective reorganization which will incorporate the principle of direct election while retaining local council membership. The type of system we have in mind is similar to the methods of election in most of the municipalities in the new regions east and west of Metro and in the Region of York.



It is our view that in Metro, especially, a system where Metro councillors are required to serve also on the local council of their municipality would do little to alleviate the pressing time problem which characterizes the present system of indirect election. We consider that it would be necessary, therefore, to preclude Metro councillors from serving on the executive of their local councils although they would still be eligible to be members of the operating committees. Metro councillors must make judicious use of their time and weigh very carefully their priorities if the best interests of their constituents to be served under this system.

THE GOVERNMENT PROPOSES THAT MEMBERS OF METRO COUNCIL (HEREINAFTER CALLED COUNCILLORS) BE DIRECTLY ELECTED FROM EACH MUNICIPALITY AND SERVE ON METRO COUNCIL AND THE CITY OR BOROUGH COUNCIL OF THE AREA MUNICIPALITY FROM WHICH THEY WERE ELECTED.

#### Metropolitan Representation by Wards

The Government thinks Metropolitan councillors should be elected from their local municipalities by wards. The Government proposes to provide in legislation the number of Metro councillors to which each municipality is entitled based on its proportion of the total population of Metropolitan Toronto. The legislation would further provide that the Metropolitan councillors would be elected by wards.

The Robarts Commission recommended that Metropolitan "districts" be composed of three adjacent local wards in each municipality. This recommendation was based on additional recommendations for boundary changes to create roughly equal sized local municipalities and equal sized local wards in these municipalities. However, the Government has already indicated that it will not be making the major boundary adjustments recommended by the Commission. Therefore, equal sized local wards across Metro are impractical. The Government appreciates the Commission's view that citizens throughout Metro are entitled to equality of representation and is aware of the administrative ease with which equal sized local wards could be combined to create equal sized Metro wards.

Nevertheless, it is our feeling that a system devised along the lines the Commission proposed would interfere unduly in the organization of local councils. Symmetry in these matters is not the most important goal. Local council composition has generally been considered a local matter left to the discretion of municipalities and the Ontario Municipal Board.

Under the Commission's proposals coincident boundaries for the Metro and local wards would be administratively neat and, therefore, attractive. However, this feature would not necessarily make the electoral system clearer for citizens. We think that citizens are more concerned that the electoral system reflect a clear line of accountability. The Government feels the physical boundaries of the respective sets of wards will not be significant to electors once it is generally understood that electors are entitled to cast a single vote each for a Metropolitan and a local council candidate. If the municipalities are unwilling or if it is impractical to

delineate their wards and, therefore, alter their council size, to facilitate the creation of Metro wards with coincident boundaries, we would expect that the local councils and their clerks will delineate their Metro wards using existing local ward boundaries where possible and dividing existing wards sensibly where this is necessary.

Having said this, however, the Government does propose to make two changes, discussed below, which will affect the composition of local councils. In light of these changes councils may wish to take the opportunity during reorganization to create local wards which lend themselves numerically to a combination to create the municipality's Metropolitan wards.

When the Robarts Commission proposed that the Metro wards be composed of a combination of three local wards, their goal was also to ensure equality of representation on Metro Council on the basis of one representative for 78,000 citizens. The Government is proposing that the representation of each municipality be based on its proportion of the total population of Metro. It follows that the Metro wards established would be roughly equal in size. We consider this a more appropriate solution as tying Metro Council representation to local wards would make it onerous and awkward to alter either the local wards or Metro representation in the future.

THE GOVERNMENT PROPOSES THAT THE  
DIRECTLY ELECTED METROPOLITAN  
COUNCILLORS FROM EACH MUNICIPALITY  
BE ELECTED SINGLY IN NEW METRO-  
POLITAN WARDS BASED ON A COMBINATION  
OF THE MUNICIPALITY'S LOCAL WARDS.

Metro Council Composition

The Robarts Commission did not make a specific recommendation to alter the size of Metro Council. However, in its proposed electoral system based on local municipalities of roughly equal size and pre-determined local and Metro ward sizes, the Commission proposed a Metro Council of thirty including the Chairman (selected from among Council and required to retain his local and Metro seats). The Commission commented in passing that this significant reduction in Metro Council size was good.

As we did not accept the specific recommendation of the Commission regarding boundary changes and related recommendations for uniform local and pre-determined Metro wards, and because of time pressures, we have been somewhat restricted in our consideration of the appropriate size for Metro Council. It would be timely now to make a significant change in the size of Metro Council if this proved necessary. However, we are not convinced there is a pressing need to make Metro Council significantly bigger or smaller. The issue of the size of Metro Council was not addressed in the municipal responses to the Report of the Royal Commission. Only the Borough of Scarborough mentioned the matter in passing. The Borough proposed an alternative composition to attain the Commission's proposed Council of thirty. The size of Metro Council was not a real issue in the original submissions to the Royal Commission either.

THE GOVERNMENT PROPOSES THAT THE  
SIZE OF METRO COUNCIL BE INCREASED  
TO THIRTY-NINE BY THE INCLUSION OF  
AN ADDITIONAL REPRESENTATIVE EACH  
FOR THE BOROUGHS OF NORTH YORK AND  
SCARBOROUGH.



# REPRESENTATION ON METRO COUNCIL

MUNICIPALITY	PRESENT			% REPRESENTATION	PROPOSED			
	1976 POPULATION	% METRO POPULATION	EXISTING REPRESENTATION		1977 POPULATION	% METRO POPULATION	PROPOSED REPRESENTATION	% REPRESENTATION
METRO	2,154,279				2,147,852			
TORONTO	678,103	31.5	11 + Mayor	32.4	663,822	30.9	11 + Mayor	30.8
EAST YORK	104,102	4.9	1 + Mayor	5.4	103,362	4.8	1 + Mayor	5.1
ETOBICOKE	293,464	13.6	4 + Mayor	13.5	294,197	13.7	4 + Mayor	12.8
NORTH YORK	558,067	25.9	8 + Mayor	24.3	558,654	26.0	9 + Mayor	25.6
SCARBOROUGH	380,931	17.7	5 + Mayor	16.2	390,061	18.2	6 + Mayor	17.9
YORK	139,612	6.5	2 + Mayor	8.1	137,756	6.4	2 + Mayor	7.7
			37 Excluding Chairman				39 Excluding Chairman	
	</							

Selection of the Head of Metro Council

The Robarts Commission recommended that the head of Metro Council be chosen from among directly elected members of Metro Council and be required to hold his Metro Council seat, a local seat and the head of council position for the term. The Commission did not recommend any statutory changes to the Metro Chairman's powers.

The Government agrees that there are very strong arguments in favour of selecting a chairman from among those who have first been elected. However, the Government is proposing to retain the existing arrangements for selecting the Head of Metro Council. In keeping with similar provisions for all the regional governments we propose that Metro Council continue to be permitted to select at the commencement of each term a chairman from among its members or any other person. This provides Council the widest discretion to select its leader and the Chairman of the Executive Committee. Retaining the existing selection of the Metro Chairman would also permit a continuity of leadership during the reorganization period.

THE GOVERNMENT PROPOSES TO RETAIN  
THE EXISTING PROVISIONS OF THE  
MUNICIPALITY OF METROPOLITAN TORONTO  
ACT RESPECTING THE SELECTION OF THE  
METROPOLITAN CHAIRMAN.

## LOCAL COUNCILS

### Election of Mayors

The Robarts Commission has recommended that the mayors of the area municipalities continue to be elected at large and be full members of the Metropolitan Council.

In arguing for the retention of direct election for mayors, the Commission stated that the wide public recognition of the office as the head of the municipality and interest by the public in mayoralty contests warrant the retention of a system of direct election. The Commission also argued that the effectiveness of mayors in representing the interests of their municipalities at Metro Council and sustaining the identity and interest of their municipalities in areas of shared jurisdiction is enhanced by their strong electoral base. In the Commission's view, any attempt to remove the accountability of the mayor to the electorate would be met with serious objection by the public.

The municipalities of Metropolitan Toronto support this recommendation. The Government is prepared to accept this consensus and retain the tradition of directly elected mayors.

Nonetheless, the case may be made that in the interest of strong and effective local councils the municipal tradition of direct election of mayors should be replaced with the parliamentary tradition of council selection of its leader. Moreover, the arguments regarding the costs of mayoralty contests and the lack of unity on council are significant. The Government hopes that municipalities will explore and consider seriously the possibility of making this very important transition in the interest of more

accountable and responsible local government. For the present, however, the Government recognizes that public and municipal feelings run high regarding mayors and that it is probably in the best interests of municipalities to have continuity of leadership in the upcoming period of reorganization.

THE GOVERNMENT PROPOSES THAT MAYORS  
OF MUNICIPALITIES CONTINUE TO BE  
DIRECTLY ELECTED AND AUTOMATIC  
MEMBERS OF METRO COUNCIL.

#### Municipal Wards

The Government feels that as long as the wards within each municipality are equitable and representative of the communities they encompass, their relative size compared to other municipalities is not significant to the overall accountability or effectiveness of the system. An imposed ward size could easily be detrimental to the representativeness of local wards by precluding consideration of other important criteria usually employed in the determination of appropriate wards.

In addition to its recommendation for uniform local wards, the Robarts Commission recommended that local wards be represented by one member only.

In making the above recommendation, the Commission's primary emphasis was upon facilitating the equalization of ward populations across Metro. However, the Commission did acknowledge the message it had received in its hearings that multi-member wards are confusing for electors and



ineffective because they promote destructive competition and antagonism between representatives trying to serve the same constituents. Multi-member wards also reduce accountability because responsibility is diffused. A special committee of the City of Toronto called two member wards counter-productive and City Council concurred. In the City of Toronto executive committee membership and Metro Council positions are dependent on being the "senior" or highest polling alderman of the ward. This situation exacerbates the likelihood of competition between aldermen.

It may be argued that multi-member wards may be useful; the more representatives an elector has serving him and the more readily accessible elected representatives are to him, the better represented he is. In a multi-member ward system, the representatives may distribute the workload according to primary interests so the interests of constituents are best served.

However, multi-member wards can present the possibility of a practice sometimes applied in general elections. Electors may be urged to vote for a single candidate and withhold votes for another. This is particularly relevant in Toronto where executive and Metro responsibilities attach to the position of highest polling alderman.

It seems to us to make greater sense to divide a municipality in twice or three times as many wards with single representatives. We submit that if wards are drawn properly according to accepted criteria to be representative of a community they will require only one representative. Individual wards would be sufficiently small and compact to permit effective representation by one person.

Having achieved this kind of clarity in the electoral process it should be recognized that we still have some way to go in achieving clearer collective responsibility in local government - that is with whom do various members of council ally themselves on the issues.

Finally, it is particularly important now that the Government proposes to implement a system of direct election for Metro that the ballot be clear and readily understandable. For the purposes of municipal council representation the ballot is most concise and the system more readily understandable if electors are only asked to choose in addition to the mayor, one representative for Metro Council and one representative for their local council.

It is the Government's intention to review the pertinent provisions of The Municipal Act which currently provide for the establishment of multi-member wards in municipalities. Thinking has clearly changed on this subject. However, for the present we are convinced that municipalities in Metro should be required to alter their ward systems to establish single member wards. We do not feel this presents an undue imposition at a time of general reorganization. For some municipalities a fundamental reorganization of local wards is overdue and will be necessary in any case. The Government is not prepared, nor are municipalities likely, to consider the possibility of combining generally-elected and ward elected representatives on the local council to overcome the reduction in members.

It appears from the Commission's background report on the electoral system that there is a wide disparity in the size of the wards within the Boroughs. For example, in the Borough of North York, the wards range from 25,000 - 54,000; East York wards range from 14,800 - 34,000; Etobicoke wards range from 40,000 - 77,800; York wards range from 15,000 - 20,700 and Scarborough wards range from 13,000 to almost 40,000 (approximate figures). Even assuming some of the disparities in the suburban boroughs can be attributed to growth room, the complexion of local wards is unacceptable and lends even greater strength to our proposal that they should be reorganized now.

We have given some thought to possible arrangements of local and Metro wards which may be of interest to the municipalities. Beyond our recommendations that wards be represented by a single member and boards of control be abolished we consider the composition of the local councils to be a matter for debate by the councils. The proposals on the attached chart are offered only as suggestions which may help people to visualize more readily the Government's proposals to reorganize Metro's electoral system.

THE GOVERNMENT PROPOSES THAT  
LOCAL MUNICIPAL WARDS BE  
REPRESENTED BY A SINGLE  
ALDERMAN.

# INDIRECT ELECTION TO METRO COUNCIL

## EXISTING REPRESENTATION

MUNICIPALITY	SIZE OF LOCAL COUNCIL	NUMBER OF WARDS	LOCAL COUNCIL COMPOSITION	METRO REPRESENTATION
TORONTO	23	11	mayor; 2 aldermen from each ward.	mayor; the high- est polling alderman in each ward.
EAST YORK	9	4	mayor; 2 aldermen from each ward.	mayor; 1 alder- men selected by council.
ETOBICOKE	15	5	mayor; 4 con- trollers; 2 aldermen from each ward.	mayor; 4 controllers
NORTH YORK	19	14	mayor; 4 con- trollers; 1 alderman elected from each ward.	mayor; 4 controllers; 4 aldermen selected by council

# DIRECT ELECTION TO METRO COUNCIL

## POSSIBLE RE-ORGANIZATIONS WITH DUAL REPRESENTATION

SIZE OF COUNCIL	NUMBER OF WARDS	LOCAL COUNCIL COMPOSITION	METRO REPRESENTATION
23	11 local 11 metro	mayor; 1 alder- man from each local ward; 1 councillor from each metro district.	mayor; 11 metro councillors elected by wards.
34	22 local 11 metro		
10	8 local	mayor; 1 alder- man from each local ward; the Metro councillor elected at large,	mayor; 1 metro councillor elected at large.
13	8 local 4 metro	mayor; 1 alder- man from each local ward; 1 councillor from each metro district.	mayor; 4 metro councillors elected by ward.
17	12 local 4 metro		
28	16 local 9 metro	mayor; 1 alder- man from each local ward; 1 councillor from each Metro district.	mayor; 9* Metro councillors elected by ward. * INCREASE OF ONE REP.
19	9 local 9 metro		



<u>INDIRECT ELECTION TO METRO COUNCIL</u>					<u>DIRECT ELECTION TO METRO COUNCIL</u>				
<u>EXISTING REPRESENTATION</u>					<u>POSSIBLE RE-ORGANIZATIONS WITH DUAL REPRESENTATION</u>				
MUNICIPALITY	SIZE OF LOCAL COUNCIL	NUMBER OF WARDS	LOCAL COUNCIL COMPOSITION	METRO REPRESENTATION	SIZE OF COUNCIL	NUMBER OF WARDS	LOCAL COUNCIL COMPOSITION	METRO REPRESENTATION	
SCARBOROUGH	17	12	mayor; 4 controllers; 1 alderman from each ward	mayor; 4 controllers; 1 alderman selected by council	19	12 local	mayor; 1 alderman from each local ward;	mayor; 6* Metro councillors elected by ward.	
					25	18 local 6 Metro	1 councillor from each metro district.	* INCREASE OF ONE REP.	
YORK	11	8	mayor; 2 controllers; 1 alderman from each ward	mayor; 2 controllers	11	8 local 2 metro	mayor; 1 alderman from each local ward;	mayor; 2 Metro councillors elected by ward.	
					13	10 local 2 metro	1 councillor from each metro district.		

The Government hopes its recommendations for changes to the system of government in Metro may be effected by spring legislation in time for the 1978 municipal elections. This presents a stringent timetable for implementing changes in the electoral system. It would not be possible for necessary changes to local council composition to proceed through the Ontario Municipal Board. It has been the Government's practice in the past in implementing the newer regions to provide the necessary changes to such things as local wards by an Order or the Minister. If legislation proceeds, we are confident that the combined efforts of the municipal councils, their clerks and Provincial staff can produce the requisite changes to make the new electoral system effective with sufficient lead time before the upcoming municipal election.

## COUNCIL ORGANIZATION - ROLES AND RESPONSIBILITIES

### Boards of Control

The Robarts Commission has recommended that boards of control be abolished in Metropolitan Toronto.

The Commission argues persuasively that boards of control are no longer in keeping with the requirements of local government in Metropolitan Toronto. The Commission's reasoning emphasized the need for effective decision-making and greater clarity and accountability in the system, again something that we would call more collective responsibility in the exercise of political power.

In the Commission's view, boards of control are divisive elements in the relationship between councils and their administrations; they also lead to animosity and rivalries within councils. In the Commission's judgement, "... the decision making capability of any level of government is enhanced if the executive body is chosen by and from the members of the legislative body". Further, "... the relative confidence of council enjoyed by the executive body and the political cohesion of the decision making process under this system of executive selection facilitate the process of government." The Commission also argued that directly elected controllers complicate the electoral system and create an unduly long and confusing ballot which in turn tends to discourage voters or at the very least detracts from the ability or likelihood of electors making thoughtful choices. In addition, a general campaign for a directly elected board of control position is considerably more costly than a ward campaign, thereby reducing access to the office for those unable to afford an expensive campaign.

The Boroughs of North York and York indicated that the removal of the board of control system would be acceptable to them. Our observation would be that in Toronto and elsewhere where Boards of Control have been eliminated and replaced by executive committees, the arrangements work rather well.

The Government concurs wholeheartedly with the Commission's evaluation and is of the firm opinion that boards of control are inappropriate to the needs of local government in Ontario.

THE GOVERNMENT PROPOSES TO ABOLISH THE  
BOARDS OF CONTROL IN THE BOROUGHS OF  
NORTH YORK, YORK, SCARBOROUGH AND ETOBICOKE  
AND TO PROVIDE THAT THE LOCAL MUNICIPALITIES  
MAY HAVE AN EXECUTIVE COMMITTEE SELECTED  
FROM THE ALDERMEN ON COUNCIL. METRO  
COUNCILLORS WOULD BE EXCLUDED FROM  
MEMBERSHIP ON CITY AND BOROUGH EXECUTIVE  
COMMITTEES.

#### Executive Committee

The Government is of the opinion that there is a need for an institutional arrangement to assist the council in making the difficult decisions on priorities by providing leadership, direction and co-ordination in the municipal 'political' process at both the City/Borough and Metro levels. We recognize that the complex urban issues confronting councils cannot be resolved in a procedural vacuum, that the council's responsibilities to make difficult political choices demand a collegiate approach, that there is a need for a central forum, responsible to council, in which budgetary and program priorities can be established in a



co-ordinated and integrated fashion. As we have already stated such a function should not be attempted by boards of control having their own political base for all intents and purposes outside of council's control.

The need for leadership and co-ordination must be provided by a body responsible to council if a collegiate approach to urban policy and program development is to emerge and be seen with some clarity by the electorate. This is a role which can be fulfilled by an executive committee of the council.

In essence, we see the executive committee as the key forum in which priorities are set and budgetary and program policies are developed in a co-ordinated way for subsequent consideration of the council. The executive committee would therefore have similar responsibilities as a board of control, but their selection and activities would be more directly subject to council's control. Some councils may have a small enough membership that they will not require an executive committee.

THE GOVERNMENT PROPOSES THAT THE EXECUTIVE  
COMMITTEES WOULD HAVE, WHERE ESTABLISHED,  
SUCH DUTIES AS A BOARD OF CONTROL.

#### Metropolitan Executive Committee

We are also proposing to change the requirements concerning the composition of the Metropolitan Executive Committee. We have three purposes in mind. First, we consider the Committee's present size of fourteen members, including the Chairman, is too large to permit effective leadership and co-ordination. Second, we support the

Robarts Commission's contention that members on the Committee should not be selected solely by the size of their electoral victory or as a result of a vote by the local council. Third, the Metropolitan Council should have more flexibility to choose its own executive committee, and fourth Metro councillors should have the option to assume or not to assume the involvement that a position on Executive Committee requires. We are therefore attempting to strike a balance between these factors.

THE GOVERNMENT PROPOSES THAT AT THE METROPOLITAN LEVEL THERE SHALL BE AN EXECUTIVE COMMITTEE. EACH AREA MUNICIPALITY WOULD BE GUARANTEED ONE MEMBER ON THE COMMITTEE/THE MAYOR OR HIS NOMINEE FROM THE OTHER MEMBERS OF METRO COUNCIL FROM HIS MUNICIPALITY (6 MEMBERS). THE MAYOR OR THE NOMINEE OF THE MAYOR WOULD BE REQUIRED TO SIT ON THE COMMITTEE FOR THE FULL TERM. THREE ADDITIONAL MEMBERS WOULD BE APPOINTED BY COUNCIL AND THE METRO CHAIRMAN AS CHAIRMAN OF THE COMMITTEE WOULD MAKE A TOTAL OF 10. THE POWERS OF THE EXECUTIVE COMMITTEE WOULD CARRY ON AS BEFORE.

#### Standing Committees

In our proposal, the members of the council's standing committees and their chairman would continue to be chosen by the council. The standing committee chairmen would continue to provide liaison with the administrative departments for program proposals and implementation and be their public spokesmen. As at present, the standing committees would report to council through the executive committee to permit policies and programs to be developed systematically and in accordance with clearly set priorities.

THE GOVERNMENT PROPOSES THAT THE COUNCIL BE PERMITTED TO ESTABLISH SUCH STANDING COMMITTEES, COMPOSED OF SUCH MEMBERS OF COUNCIL AND TO CARRY OUT SUCH DUTIES AS THE COUNCIL CONSIDERS APPROPRIATE.

### Municipal Control of Special Purpose Bodies

We are convinced that the provision of a clear and coherent system of accountable local government in Metropolitan Toronto cannot be achieved in the present environment of fragmented responsibility. The existence of numerous special purpose bodies engaged in a variety of functions can be confusing to the public - there is no clear and understandable line of responsibility and accountability for the decisions and services which these bodies undertake in splendid isolation. We remain committed to the objectives of our local government reform program to reduce fragmentation in the local governing system, to clarify and strengthen the authority of elected municipal councils. We believe that our proposals to improve the political/administrative capacity of the councils in Metropolitan Toronto will permit them to assume more responsibility for the functions now carried out by special purpose bodies.

As an ultimate objective, we are inclined to support the principle of the Commission's recommendation to remove the statutory provisions for all special-purpose bodies in Metropolitan Toronto and to allow for the transfer of their responsibilities to the elected council. Once the councils develop the capacity to be responsible for these functions, a more coherent system of accountability will emerge.

At the request of the councils, we are prepared to consider major transfers of responsibility from certain special purpose bodies to the councils in Metropolitan Toronto. We expect each council to examine its relationship with the roles and responsibilities of certain special purpose bodies. If the Metropolitan and local councils indicate a willingness to assume direct responsibilities for such special purpose bodies as the Toronto Transit Commission and library boards, we would consider the necessary legislation.

#### Metro's Responsibility for Transit Services

The evidence in support of Metro Council's takeover of the TTC is particularly persuasive.

With one exception (North York), the municipalities supported the recommendation to give Metro the responsibility for organizing the operations of the transit system. The arguments for this are based upon a number of considerations. All governments now recognize that transportation planning cannot occur in isolation, but must have regard for land-use planning and capital budgeting requirements. Similarly, the conduct of local transportation planning depends upon the co-ordination of all elements of the local transportation system, i.e. transit, roads and parking. This is an objective of Metro Council which endorsed these principles in the draft Metro Plan document, Concept and Objectives.



"Future transit, road and parking facilities should be planned as part of total integrated transportation system. The operating policies of the agencies responsible for transit, roads and parking should be co-ordinated ...".

At present, the achievement of this goal may be frustrated because the entire responsibility for transit planning does not rest with Council. Although through normal planning processes, it has prepared long-term and strategic transit policies, operational decisions such as levels of service and routes are in the hands of the T.T.C.

Metro has an important financial stake in the T.T.C. Until the 1960's the T.T.C. operations were self-financing out of the revenues from the fare box; although Metro and the Province subsidized capital projects. However, in this decade, the T.T.C. has been operating at a deficit and Metro and the Province have become increasingly involved in defraying these costs. In effect, the fares are now being set by Council because its annual subsidy determines how much additional revenue will have to be made up at the fare box. However, the T.T.C. still has the final authority to make this decision and to set priorities about its equipment.

The Commission's former independence from the local political level has been further eroded by the change in composition to its board. All of its members are appointed by Metro Council; but only 3 of the 5 positions may be filled by elected politicians. (At this time, there are only two Council members on the Board, one of whom is the Metro Chairman.) But even majority political representation does not ensure that transit policies are made in accordance with the Council's wishes. Nor does this arrangement guarantee that the meetings of the Board are conducted in

the same fashion as Council's proceedings. A newspaper account of a recent Board sitting (Globe and Mail, March 2, 1978) indicated that in camera sessions about various policy matters are common practice. On this occasion, the only opposition to a closed meeting came from the one elected Council member of the Commission.

This is not a tolerable situation considering that the system is financed very substantially from taxes. Recent protests to Metro Council about fare increases were ineffectual because this body does not have ultimate control over these kinds of decisions. If Council did have the authority to legislate fares and the level of service, it would enable transit users to readily identify the source of decisions and take actions to affect the outcome of future policies.

Lastly, conservation of energy has become a concern for all levels of government. Placing the transit function under Council's control would afford an opportunity to implement conservation policies for all types of equipment which provide local services.

There would be some practical problems associated with a Metro-takeover of the T.T.C. The Commission's employees outnumber those of Metro's (approx. 8,000 to 5,000); they are also represented by different unions; and the political ramifications of Council making decisions about Gray Coach, a T.T.C. subsidiary and an inter-regional carrier, would be tricky.

THE GOVERNMENT PROPOSES THAT COUNCIL(S) EXAMINE THE APPROPRIATENESS OF THE CONTINUED EXISTENCE OF CERTAIN SPECIAL PURPOSE BODIES. IF METRO AND LOCAL COUNCILS SUBSEQUENTLY WISH TO TAKE DIRECT CONTROL OF THE FOLLOWING SPECIAL PURPOSE BODIES THE PROVINCIAL GOVERNMENT WOULD BE PREPARED TO CONSIDER LEGISLATION TO THAT END:

- (a) THE T.T.C.
- (b) LIBRARY BOARDS.

#### Metro's Responsibility for Police

Policing is a very important and complex area of public services affecting many aspects of the budgetary policies and programs of the Metropolitan Council. The amount set aside for police services was the largest single item in the 1976 Metro budget. We are aware of the concerns about ensuring the continuation of law enforcement in Metropolitan Toronto, "without fear or favour". Our present task is to reconcile the needs for politically responsible and accountable public policy decisions in Metropolitan Toronto with the provision of an efficient, impartial and fair police service. Accordingly, we are proposing a change in the composition of the Metropolitan Board of Commissioners of Police to provide the Metropolitan Council with majority representation - namely, two members of council and one other person appointed by the Council

and two Provincial appointees. This suggested 3-2 municipal-provincial representation, rather than the existing reverse arrangement, would change the emphasis from a provincial accountable body to a locally accountable body.

THE GOVERNMENT PROPOSES TO AMEND THE  
COMPOSITION OF THE METRO BOARD OF  
COMMISSIONERS OF POLICE TO INCLUDE: THE  
CHAIRMAN OF METROPOLITAN TORONTO, A  
MEMBER OF THE METROPOLITAN COUNCIL,  
A PERSON OTHER THAN A MEMBER OF COUNCIL  
APPOINTED BY THE METROPOLITAN COUNCIL  
AND TWO PERSONS APPOINTED BY THE  
LIEUTENANT-GOVERNOR-IN-COUNCIL.

### Finance

The Government has been reviewing the issues of property tax reform and grants reform in response to the Reports of the Blair Commission and the Provincial-Municipal Grants Reform Committee. The Robarts Commission made a number of proposals concerning cost-sharing arrangements and other grant reforms which we intend to consider in the context of the broader issues of our reviews on property tax and grant reform. We cannot consider special arrangements for Metropolitan Toronto until such time as the results of that review process on the broader financial issues are completed.



We do wish to address the issue raised by the Robarts Commission on the role of the Ontario Municipal Board in approving capital undertakings and municipal borrowing. The Commission recommended that the OMB's function be confined to the approval of the financial aspects of an undertaking, rather than the merits or necessity of an undertaking on a project-by-project basis. Such a change in OMB procedure is consistent with the Government's efforts to encourage a "block" approval approach in the financing of larger municipalities, such as Metropolitan Toronto. We concur with the Commission that administrative cost efficiencies could be achieved by streamlining capital approvals in this way. Finally, we can see merit in the Robarts Commission's recommendation to transfer responsibility from the OMB to the municipal council for hearing and deciding on objections to capital projects. In our view, the issue at stake is one of accountability for an important area of municipal policy. It is the proper political responsibility of the elected members of council to hear and respond to public objections to council's policy decisions on capital undertakings.

THE GOVERNMENT PROPOSES THAT THE  
O.M.B. MAKE BLOCK CAPITAL  
APPROVALS ON FINANCIAL MERITS ONLY,  
RATHER THAN A PROJECT BY PROJECT  
CONSIDERATION.

Comments on Administration and the Role of the Administrator

In the arrangements proposed here the civic servant of local government would be well advised to take himself or herself seriously as a servant of a mature form

of government. Too often non-elected officials are identified with political decisions and that kind of openness does not contribute to accountability but to confusion. The bad news and the hard options should be spelled out by elected representatives - politicians; by those of us the public can really get at.

Elected Councils and appointed officials must develop a clearer understanding about the obligations of one another, if local government is to exercise greater responsibilities as a coherent and accountable form of government.

THE GOVERNMENT PROPOSES THAT COUNCIL, WITHIN THIS NEW FRAMEWORK OF DECISION-MAKING AND POLICY FORMATION, SHOULD TAKE SUCH STEPS AS NECESSARY TO CLARIFY POLICY AND ADMINISTRATIVE ROLES IN ORDER TO MANAGE RESPONSIBILITY EFFECTIVELY AND TO FOCUS ACCOUNTABILITY IN THE POLITICAL LEVEL. WHERE FURTHER LEGISLATIVE CHANGES ARE SEEN TO BE REQUIRED TO FACILITATE EFFECTIVE DELEGATION OF ADMINISTRATIVE MATTERS TO STAFF, APPROPRIATE AMENDMENTS WOULD BE CONSIDERED.

## FUNCTIONS OF LOCAL GOVERNMENT

The Government accepts the principle that Metro Councils should be permitted to undertake new responsibilities and have a less rigid supervisory relationship with the Province which other restructured governments do not presently enjoy.

However, there are a number of considerations which preclude blanket endorsement of all of the functional advancements proposed in the report.

1. As stated previously, the primary focus of the Report and the Government's response to it, is on issues such as representation and accountability. This is strategically valuable because before major responsibilities are reassigned, the authority should be in place to enable Councils to deal with enhanced authority. Once this is achieved, questions about major delegations, some of which are unresolved here, and the appropriateness of responsibilities at each of the municipal levels can be tackled.
2. There are a number of re-evaluations of policies at the provincial level that would affect municipal government. This includes such matters as the government's response to the Planning Act Review, the establishment of local children services committees, negotiations about public housing management, and grants and property tax reform. It is our view that, with the exceptions noted in the latter sections of this submission, the government's position on these Robarts items be deferred pending the development of clearly identifiable policies by the provincial ministries involved.

These considerations necessitate that this response to Mr. Robarts' functional proposals will be a selective one over-time. The major functional focus will be on the removal of provincial supervision of municipal programs (complementary to this, is the authority for municipal councils to exercise greater discretion with respect to organizational matters and local affairs); and the elimination of special purpose bodies. The reasons for proceeding on these fronts are that we accept Mr. Robarts' general argument that many municipal activities in Metro are needlessly encumbered by provincial legislation. In instances where there is no clearly defined provincial interest this results in duplication, excess costs, and undermines accountability by confusing the electorate about which level of government is responsible for decisions. Because of the excessive provincial control which especially characterizes municipal social services legislation, the policy discretion of Metro in this sphere is rather limited. We strongly endorse Mr. Robarts' recommendation which requests the Province to review its social services legislation with a view to enhancing the scope of local government in service delivery. A committee of Provincial and Metro officials should be struck to examine the existing situation and make recommendations about a number of outstanding issues in this sphere.



INTERGOVERNMENTAL CO-ORDINATION

The Commission recommended the establishment of a co-ordinating agency comprised of elected local and provincial representatives to discuss planning, housing, transportation and open space issues of an inter-regional nature. These proposals were based on the recognition of problems common to adjacent municipalities in an urbanized area which is experiencing continued growth. It is beyond dispute that Metro's planning and transportation decisions affect the neighbouring regions; that the housing market extends beyond the municipality's boundaries; that the economic health of the Regions are inter-related; and that the area's parks constitute an open space network.

However, the Commission's remedy is, in our view, deficient. Problems which transcend municipal or regional boundaries, are by definition, the responsibility of the Province. Assigning a role to an agency which is not entirely responsible to the Province would confuse attempts at a clearer definition of responsibilities between the provincial and local levels of government. In addition, delegates to the co-ordinating agency could act independently and their views would not necessarily reflect the views of the majority of their Councils.

These themes have also emerged in the reaction to these recommendations. Metro, Durham and Peel opposed these proposals on the grounds that the task of co-ordinating inter-regional problems is (and should be) a provincial responsibility.

The criticism is not meant to suggest that inter-regional and provincial consultation about mutual problems is not worthwhile. At present, Metro area liaison is undertaken by the Toronto-Centred Co-ordinating Committee (T.C.C.C.) which meets at the call of the Treasurer and is composed of the Treasurer and the Minister of Housing and the Metro and Regional Chairmen. This political group is augmented by a Committee of provincial and local staff officials. Recently its purview was enlarged to include the participation of additional Ministers and their staffs as appropriate. As a result, its recent meetings have featured discussions about a diverse range of issues such as physical services, environmental matters, transportation, and health planning agencies.

No new inter-regional committee should be established, but the existing Toronto-Centred Co-ordinating Committee and its affiliated committee of officials, continue to perform a co-ordinating and information exchange role.

## PLANNING

The Commission's planning recommendations can be summarized under three main points. First, they would provide for more statutory authority for municipal councils over planning decisions. Secondly, they would remove the authority of the Ontario Municipal Board to overturn municipal planning decisions and to make policies in place of Councils or implement provincial guidelines. Thirdly, they spell out the need for the Province to base its actions affecting municipal planning upon clearly defined policies and articulated interests.

These orientations closely parallel the directions of the Report of the Planning Act Review Committee, headed by Eli Comay. This document's emphasis reflects several long standing concerns of this Government's local government policies, such as the need for greater accountability at the local level; the delegation of provincial responsibilities to the municipal level; and the delineation of the interests of the respective levels of local government.

The Government's response to the Comay Report will be made known early next year. Because of this Report's pre-occupation with central local government issues and its close connection with the planning chapter of the Robarts Report, almost all of the latter study's recommendations should be deferred pending the development of positions on the Comay Report.

Only one planning recommendation will be addressed in this submission - i.e. Metro's zoning power within 150 feet of its roads. Action on this proposal would not undermine the major issues which should be deferred for now, and Metro's transportation interests can be enforced through its other powers.

With one exception (see below), changes to aspects of planning procedures be deferred pending the Government's response to the Comay Report.

### Metro's Zoning Authority

Although Metro has had this power for in excess of 20 years, it has never been used. Its provision in the Metro Act has contributed to confusion about the development control and land use roles of Metro and the area municipalities. Metro's interest in the operation of its roads can be secured by control over traffic and access regulations. Removal of authority for Metro's zoning powers would be consistent with a recommendation in the Report of the Planning Act Review Committee to abolish upper-tier zoning within 150 feet of regional roads. Moreover, this move has the support of all those area municipalities which responded to Robarts' planning proposals.

THE GOVERNMENT PROPOSES TO REMOVE METRO'S AUTHORITY TO PASS ZONING BY-LAWS WITHIN 150 FEET OF METROPOLITAN ROADS BY AMENDING THE MUNICIPALITY OF METROPOLITAN TORONTO ACT. HOWEVER, ANY AREA COUNCIL BY-LAW AFFECTING ACCESS TO OR SETBACKS FROM METRO ROADS WOULD HAVE TO HAVE THE APPROVAL OF METRO COUNCIL.



Local Management of O.H.C. Housing Stock

The argument favouring municipal responsibility for the management of public housing (in place of O.H.C. or housing authorities) is based on the fact that these tenants have a greater need for government services than do other local residents. Municipal operation of public housing would enable the co-ordination of management policies with local social services and the provision of recreational facilities. The Metropolitan Corporation already has some housing management experience. Some of the local senior citizen developments, built by the Metropolitan Housing Company (an agency of Metro Council) are also managed by it.

However, most of the municipal reaction (Metro, Etobicoke and Scarborough) to this recommendation was adamantly negative. Etobicoke's position is based upon the additional financial costs which Metro would have to bear. The only municipal supporter of this proposal is Toronto. Its position is that Metro should gradually takeover this task and be prepared to delegate management to the local municipalities on a project by project basis. But if Metro is not willing to assume this function, then the Province may consider delegation to the lower tier, also on an individual project basis. The City is unwilling to manage all the O.H.C. stock within its boundaries because it is not administratively equipped to deal with the size of the portfolio; and it would adversely affect the image of its non-profit program which is geared to fulfilling needs of middle as well as low-income groups. However, implementation of Toronto's position would result in different management agencies for public housing units within the same municipality and would create administrative confusion.

The initiative to have Metro takeover the management of local O.H.C. units should be deferred pending a decisive outcome of the negotiations between Metro and the Province on this matter.

## TRANSPORTATION

The thrust of the Government's response is to provide Councils (specifically Metro) with the authority to integrate the planning for all local elements of the transportation system - i.e. transit, (see Municipal Control Of Special Purpose Bodies section) roads, and parking.

### Debt Payment Responsibility

The Commission's research discovered that the exchange of jurisdiction for individual roads between Metro and the local municipalities is not always accompanied by responsibility for repaying outstanding debts. When a local municipal road is transferred to Metro, the debt incurred is also passed on to the upper-tier. However, under existing legislation the reverse exchange still saddles Metro with the associated debt, even though it is no longer responsible for that particular thoroughfare.

The four municipal responses to this recommendation were generally favourable. However, Metro's response added a stipulation that the parties involved concur with the road transfers; while the City's view was that the exchange should only take place subject to the agreement of the area municipality involved.

THE GOVERNMENT PROPOSES TO INITIATE  
AN AMENDMENT TO THE METRO ACT TO  
PROVIDE FOR TRANSFERS OF ROADS  
BETWEEN TIERS TO OCCUR BY AGREEMENT  
BETWEEN THE PARTIES INVOLVED AND  
THEY BE ACCOMPANIED BY THE  
RESPONSIBILITY FOR REPAYING THE  
OUTSTANDING DEBT OF SUCH  
THOROUGHFARES.

### Parking Policy

The recommendation to give Metro the authority to develop and establish broad parking policies and include them in its official plan reflects the same reasoning as the proposal about Metro responsibility for transit. The different elements of the transportation system (i.e. parking, transit, roads) are inter-related and attempts to effect policies in one area often have an impact upon the other sectors. An integrated approach to transportation planning would be facilitated if one political body (Metro) had general planning responsibility for all three facets.

### Regulation of Parking Rates

The recommendation that Metro Council be empowered to regulate the rates of public and private off-street parking facilities is a consequence of the previous one. The argument here is that controlling the price of parking can be used as a means of implementing major municipal transportation objectives - i.e. to reduce congestion of roads and to increase use of rapid transit.

However, it is the Government's view that local government does not need to control private off-street parking in order to achieve broad transportation goals.

The municipal response to this recommendation made reference to the local municipal role in determining parking policies and the rates at publicly operated lots. Etobicoke's position was that Metro should be able to establish rates for those lots adjacent to the transit system, leaving the area municipalities free to charge at other locations. At present, the T.T.C. has the authority to determine prices at lots which adjoin subway stations. Metro would accrue this power if it decided to assume direct responsibility for transit. Even if Metro does not take this step, the relationship between general transportation policy, transit usage and parking prices necessitates that Metro should be empowered to regulate rates at public parking facilities.

Parking Penalty Charges

The Commission's reasoning for proposing that Metro have the responsibility for proposing changes in parking penalties was that a set of uniform parking penalties throughout Metro would reduce both the confusion of the citizens and the frustration of enforcement personnel. This recommendation was endorsed by all Metro municipalities.

ENDORSES RECOMMENDATIONS TO GIVE  
METRO AUTHORITY TO DEVELOP BROAD  
PARKING POLICIES; REGULATE THE  
RATES OF PUBLIC OFF-STREET-PARKING;  
APPLY UNIFORM PARKING PENALTIES  
IF THE AREA MUNICIPALITIES ARE  
UNABLE TO AGREE.



Municipal Representation on the Harbour Commission and  
T.H.C. Land-use Authority

The subject of these recommendations falls within the jurisdiction of Federal legislation. The Province has supported the principle of restricting the land-use authority of the T.H.C. to lands actually or potentially rendered for port purposes throughout the negotiations about the revisions to The Canada Ports Act (Bill C-6).

Those municipal responses which dealt with these recommendations either endorsed them without elaboration and/or suggested they would communicate their views directly to the Federal Government.

The Government will promote its views about these matters through the process of discussions concerning The Canada Ports Act (Bill C-6).

## HEALTH

### Local Public Health Responsibility and Funding

There is quite a lengthy history associated with Mr. Robarts' two recommendations that public health remain an area municipal responsibility and that the local public health units receive provincial financial support equivalent to the district health units. Since 1969, as part of its province-wide program of establishing district health units, the Ministry of Health has been trying to convince Metro's Public Health Units of the need for some kind of integration. Its position is that there are certain public health problems in Metro which require co-ordinated approaches. To date, all proposals to establish a district health unit in Metro have been rejected by either the local municipalities or the Province. The result is that while district health units which resulted from integration in other parts of the Province are subsidized for 75% of their approved expenditures, Metro's units receive only 25% reimbursement of similar costs. It is estimated that this deprives Metro units of more than 6 million dollars per year in subsidized provincial funds. (In certain instances, where the Province wants to promote a particular program, it funds the entire costs of local program delivery - e.g. home care and family planning.)

Local opposition (both the area municipalities and the Boards of Health) to the Ministry of Health's initiatives is based on two grounds: First, it is argued that having the responsibility at the lower-tier has enabled the local units to not only meet provincial standards, but to offer certain programs which respond to localized public health priorities. This would seem to be borne out from an examination of the type of programs that are offered by the

individual units. For instance, North York's unit has inaugurated a child advocacy program, while York's Department offers psychiatric services for children and adolescents. It is contended that this diversity of services would be impractical (or difficult to achieve) if a local unit was responsible for services to an excess of 2 million people. Advocates of the status quo also contend that Metro's units serve populations larger than most of the Province's district health groupings. Because of this, they argue that the Province should fund Metro units on the same basis as the districts. The Commission's justification for this stance was: "The public health requirements in Metro are no less urgent than anywhere else in Ontario.... If the provincial interest in establishing Province-wide minimum standards of public health services is valid enough to warrant 75% subsidization of certain programs, then it is as valid for Metro residents as for those in any other community in Ontario".

Certainly, per capita spending by Metro's local health units matches expenditures by units throughout the rest of the Province. For 1977, the \$8.29 average per capita spent for public health in Metro, compares favourably with the \$8.66 for the rest of the Province. Within Metro, Toronto's health unit expenditure per capita was the second highest in the Province.

Two municipal briefs, North York's and Metro's, suggested an entirely new basis of provincial financing of local programs. Their view was that the Ministry of Health should set mandatory health programs for which the Province should bear total financial responsibility, but permit local municipalities to continue delivering them. Other non-mandatory services would be subsidized at 75% of expenditures provided that the Province had endorsed these programs. These positions are similar to those of the

Grants Reform Committee which recommended that the Province assume full costs of financing health services administered by local governments subject to approved annual levels of expenditure based on provincial standards.

The local interests also argued that the co-ordination role desired by the Ministry of Health is being (and can be) fulfilled by the Liaison Committee of Metro Boards of Health which began to meet in 1975.

In addition to the Ministry of Health's argument about the need for co-ordinated approaches and common standards in Metro, there are a number of other arguments for re-assigning the function. Public Health services often overlap with those provided by social services agencies. Since the present responsibility for social services is lodged with Metro, it would be easier to achieve integrated approaches if public health services were also a Metro Council responsibility. Moreover, having both these functions at the same level might open up interesting funding possibilities which could considerably enhance the present role. Provincial health services are already block funded by the Federal Government, and it recently announced its intention to take the same approach to social services. If the Province in turn moves to block funding these municipal programs, then Council will be able to devise innovative co-ordinated health and social services policies for specific client groups e.g. senior citizens, and have the financial resources to implement them.

On the other hand, the level at which this integration should take place can be disputed. Many post-Report submissions including ones from municipalities, argued that the area municipal level is the more accessible of Metro's



local governments and that it is in the best position to accommodate the diverse human or "soft" services needs within Metro. Local municipal councils could promote integrated public health policies with other local municipal human services, such as recreation and education, which would serve a considerably smaller population than the whole of Metro.

THE PUBLIC HEALTH UNITS WILL  
REMAIN AS THEY ARE.

## SOCIAL SERVICES

The central theme is to enhance the role of Metro Council both in terms of the performance of its present duties and its eventual assumption of responsibility for the planning and organization of local children's services. It has been decided to reject devolution of the Provincial Family Benefits program to Metro on the grounds that income maintenance programs should be delivered by senior levels of government.

### Family Benefits and General Welfare Assistance

The Commission's logic in proposing that the Family Benefits and General Welfare assistance programs be integrated at one level of government is, in our view, unassailable. Although general welfare is intended to provide short term assistance, while family benefits is geared to long term support, these programs often serve the same people. A unified welfare system would reduce the inconvenience and confusion of clients and could make possible a better deployment of professional staff and resources. All of Metro's municipalities which responded to the recommendation, approved it. But most stipulated that the Province should guarantee Metro with additional funding to carry out these programs jointly.

However, the Commission's position that these programs should be delivered at the local level is open to question. A number of private agency briefs pointed out that professionals have begun to realize that there are advantages to separating income maintenance and support service programs. These comments also stated that the previous initiatives for integrated income support programs

had emanated from the senior levels of government. This makes sense because the welfare caseload is directly related to the general economic climate, over which municipalities exert relatively little control. Local contributions to the costs of welfare (about 20% of General Welfare Assistance expenditures) are derived from the property tax base; and this source of revenue is not directly responsive to general economic conditions.

These briefs counter-proposed that these programs should be fused at a senior level of government. Most submissions favoured the Province as the delivery agent, but there was also support for an enhanced Federal role.

This latter position, favoured by Metro's Social Planning Council, is consistent with the Province's stance on the disentanglement of federal-provincial social programs. Ontario favours a re-division of responsibility that would give the Federal government exclusive jurisdiction over income maintenance schemes, while the Province would have full responsibility for support services.

The Government rejects Robarts' recommendation and undertakes to investigate the feasibility of joining these programs at a senior level of government.

#### Provincial Controls over Municipal Programs

Robarts recommended that the Province review its social services legislation to allow for broadening the scope of local government roles in this sphere.

Delivery of municipal social service programs is the exclusive responsibility of Metro Council. The current authority for these roles can be traced to six Ministry of Community and Social Services Acts - Day Nurseries, General Welfare Assistance, Child Welfare, Homemakers and Nurses Services, Homes for the Aged and Rest Homes, and Elderly Persons Centres. Despite the traditional delivery role and important municipal responsibilities in other associated fields, the provincial role in this sphere is predominant.

The Province assumes the major portion of capital and operating costs. It also exercises an encompassing approval authority which extends over physical facilities, the hiring of staff, the operation of programs, and inter-municipal agreements in all of these Acts.

One reason for reducing provincial control over Metro social services programs is the fact that many aspects of the Acts involve operations performed by local government initially (e.g. inspections and hiring of staff) which are duplicated by the approvals system. In addition, the local level has a freer hand in the performance of its other duties and the same treatment should be extended for social services. Metro has also shown itself capable of developing policies concerning the delivery of its social services programs.

Devolving greater social services responsibilities to Metro could have the following benefits:

1. Focus accountability at one level of government.
2. Offer easier user-access.
3. Provide a framework for social planning linked to available resources.



The last benefit could be fully realized if the Province moved to establish a social policy process and block funding for local services. The Federal Government has recently announced that it is prepared to block fund provincial social services programs currently financed under the Canada Assistance Plan. In turn, this could open up the possibility of the Province offering the same arrangement to Ontario's restructured municipalities. These circumstances necessitate that before major changes in the municipal social services role can occur, the Province will have to re-examine its administrative and policy relationship with local government in this sphere.

This was one of the few recommendations in the report which elicited a virtually unanimously favourable response from municipal and private agency sources. A number of briefs remarked on the long standing nature of the problem and stated that its resolution was long overdue.

To implement this recommendation, it is our view that a provincial-municipal committee (with Community and Social Services and Treasury representation) should be established. Its first task should be to investigate the existing social service relationship between the Province and Metro. Such a study could point to a number of options including transferring to Metro the authority for the types of provisions in these six pieces of legislation referred to above (e.g. approval of building sites, inspection of financial records, special admissions to institutions, staff appointments, forwarding municipal by-laws etc.). At later stages, the committee could turn its attention to questions concerning the establishment of a social policy process, further delegation and block funding.

THE GOVERNMENT ENDORSES THE  
PRINCIPLE OF LESS PROVINCIAL  
SUPERVISION OF LOCAL SOCIAL SERVICES  
PROGRAMS AND THE SETTING UP  
OF A PROVINCIAL-MUNICIPAL  
COMMITTEE WHICH WOULD INVESTIGATE  
THE EXISTING PROVINCIAL-MUNICIPAL  
RELATIONSHIP IN THIS SPHERE.

### Children's Aid Society

The Children's Aid Societies have come under continuing criticism from municipal politicians. This group feels that local governments exert little influence over the policies of the Societies, even though the Child Welfare Act obligates municipalities to contribute 20% of the local Society costs and provides for elected municipal representation on their Boards. Accordingly, there have been several locally initiated proposals (e.g. 1972 A.M.O. and 1976 A.C.R.O. Resolutions) to abolish these Societies and transfer their functions to the elected levels of government.

The Robarts recommendation to vest Metro with responsibility for child welfare services was supported by all of the Metro municipalities which responded to it. However, the private agencies all rallied to the C.A.S.'s defense. The Social Planning Council cited the Metro Society's record as an innovative and responsive agency which had moved into areas of family support work, community development and social action. Metro Toronto's C.A.S. claimed that it has an excellent relationship with both the Province and Metro.

The Minister of Community and Social Services, the Honourable Keith Norton, recently announced a general review of the operations of Societies. Their future role is also related to forthcoming decisions about the organization of the local children's services committees. In view of these current developments, it is proposed that no position on the recommendation should be taken at this time.

The Government defers taking a stance on this recommendation pending completion of the Report of the Provincial Task Force on C.A.S.'s and the development of a firm proposal about local children services committees.

#### Children's Services Committee

Last April, the Government announced a realignment of responsibilities for children's services at the provincial level. Branches from the Ministry of Health, Correctional Services and Community and Social Services were consolidated into one Division within the latter Ministry. At the same time, the Government stated its intention to establish children's services committees at the local level. These bodies will make policies about the delivery of local services and will be responsible for the assignment of individual children to institutions and programs. The initial provincial statements about these committees said that they would be "responsible or accountable" to local government.

The arguments for Metro Council exercising direct responsibilities for this function are based on the need for political control at the local level to ensure that costs are kept in line and to provide for recourse to elected politicians in the event of abuses to children under the system's care. In addition, such an arrangement would afford an opportunity to integrate these services with other municipal social and human service responsibilities. Moreover, Council responsibility would not preclude the involvement of child care professionals in the initial assessment and placement of troubled children.



Municipal responses concurred with the establishment of these local committees, but some of them expressed uncertainty about these bodies' responsibilities and composition. Other submissions (Social Planning Council, North York Inter-Agency Council, Metro Agencies Work Group on Children's Services, and Metro Children's Aid Society) argued that service providers should be extensively involved and that advisory committees should be created in each area municipality.

In view of the impending decisions about the precise roles and structure of the local children's services committees which are expected later this year, it is proposed to defer a position on this recommendation.

The Government defers comment on this recommendation pending the further development of provincial policies about local children's services committees.

## RECREATION AND LIBRARIES

### Responsibility for Recreation

Robarts' recommendation re-affirmed area municipal responsibility for recreation services, but proposed that Metro Council be authorized to make capital grants for the construction of major recreational facilities. The first part of the proposal conforms to the Government's notion that area municipalities should be responsible for localized services such as recreation. With regard to the second part, the general granting power of The Municipal Act (Section 248(a)) permits a municipal council to make grants to any organization it wishes. This would apply to Metro should it desire to subsidize major capital facilities.

The municipal responses to this proposal reflect the general on-going tension about jurisdiction for functions. While all the municipal briefs supported this recommendation, Toronto's overall position on this entire chapter reiterated its opting-in stance about human services - i.e. Metro should be prepared to delegate its recreation programs to any municipality which wants the responsibility. Metro Council's concurrence contained the proviso that the words "exclusive responsibility" referring to area municipal responsibility for recreation services be changed to "primary responsibility".

The Government endorses Robarts' recommendation that recreation be a local function but that Metro Council could make capital grants for this purpose.

### Two-Tier Library System

The Commission's contention that the two-tier system is working well was generally supported by most of the municipal and Library Board responses as well as Provincial sources. However, problems of co-ordination between the local and the metropolitan tiers were cited by the Scarborough Library Board's brief and the Commission's background study on social policy. These sources suggested that co-operative efforts were largely initiated by the local Boards rather than the Metro Board. Toronto did not endorse the recommendation, but instead advanced its consistent stance that area municipalities should be able to "opt in" and perform Metro library services.

The Government endorses retention  
of the two-tier library system.

### Library Boards

The Commission's points in support of vesting library services with Metro's various Councils are good ones. First, the majority portion (about 80%) of the Boards' financial resources are raised through the local property tax. However, the provisions of The Public Libraries Act precludes members of Council from sitting on these Boards. Rather, these bodies are comprised of Council and Board of Education appointees. Bringing the services into Council's sphere could also promote integration with other related local programs such as recreation and education.

In opposing this recommendation, the local Library Boards (Scarborough, Etobicoke, North York) insisted that the present system is working well. These briefs also supported the retention of conditional provincial funding.

However, the Government's views are that conditional library grants could be eliminated in Metro without adversely affecting the quality of services and that this responsibility could be placed under Council aegis. The five responding municipal briefs (Metro, Etobicoke, Scarborough, Toronto and North York) all supported the recommendation.

IF LOCAL COUNCILS REQUEST THE  
ABOLITION OF LIBRARY BOARDS,  
THE GOVERNMENT WOULD CONSIDER  
APPROPRIATE LEGISLATION.

### Other Functions

This paper does not address in any detail the matter of Fire services or Public Utilities or Hydro Commissions.

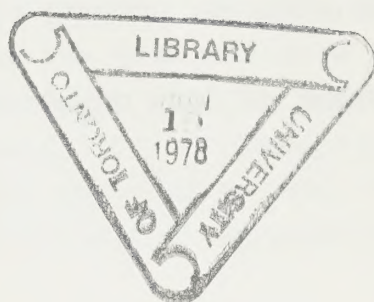
### Fire

We would concur with Mr. Robarts proposition that fire services remain with the City and the Boroughs and that there be a committee of fire chiefs to examine intermunicipal problems.

### Hydro

The existing arrangements for providing hydro-electric service would remain in place.







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